

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**Re: Docket No. 776 & 808**

**CERTIFICATION OF COUNSEL REGARDING DEBTORS' FIRST OMNIBUS  
MOTION FOR ENTRY OF AN ORDER (I) AUTHORIZING THE ASSUMPTION OF  
CERTAIN EXECUTORY CONTRACTS, (II) FIXING CURE COSTS IN  
CONNECTION THERETO, AND (III) GRANTING RELATED RELIEF**

The undersigned counsel to the above-captioned debtors and debtors-in-possession (the “**Debtors**”) hereby certifies as follows:

1. On December 5, 2023, the Debtors filed the *Debtors' First Omnibus Motion for Entry of an Order (I) Authorizing the Assumption of Certain Executory Contracts, (II) Fixing the Cure Costs in Connection Thereto and (II) Granting Related Relief* (the “**Motion**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

2. On December 11, 2023, the Debtors filed the *Notice of Filing of Revised Proposed Order Regarding Debtors' First Omnibus Motion for Entry of an Order (I) Authorizing the Assumption of Certain Executory Contracts, (II) Fixing the Cure Costs in Connection Thereto and (II) Granting Related Relief* [Docket No. 808] (the “**Revised Proposed Order**”).

3. Pursuant to the notice filed with the Motion, any objection or response to the relief requested in the Motion was to be filed and served so as to be received no later than **December 12, 2023 at 4:00 p.m. (Eastern Time)** (the “**Objection Deadline**”).

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corporation (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors' service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

4. Prior to the Objection Deadline, the Debtors received an informal response (the “**Informal Responses**”) from TERIS-Phoenix, LLC (“**TERIS**”). Other than the Informal Response, the Debtors received no other responses to the Motion and no objections or responses were filed on the Docket.

5. Attached hereto as **Exhibit A** is a further revised proposed order (the “**Further Revised Proposed Order**”) which resolves the Informal Response. The Debtors have resolved Informal Response of TERIS through revisions to the Further Revised Proposed Order and adjustment of the cure amount on the schedule thereto. For the convenience of the Court and all parties in interest, a blackline of the Further Revised Proposed Order against the Revised Proposed Order filed on December 11, 2023 is attached hereto as **Exhibit B**.

WHEREFORE, the Debtors respectfully request that the Further Revised Proposed Order, attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Dated: March 3, 2024  
Wilmington, Delaware

<p><u>/s/ Morgan L. Patterson</u>  <b>WOMBLE BOND DICKINSON (US) LLP</b>  Donald J. Detweiler (DE Bar No. 3087)  Morgan L. Patterson (DE Bar No. 5388)  1313 North Market Street, Suite 1200  Wilmington, Delaware 19801  Telephone: (302) 252-4320  Facsimile: (302) 252-4330  don.detweiler@wbd-us.com  morgan.patterson@wbd-us.com</p> <p><i>Counsel to the Debtors and Debtors in Possession</i></p>	<p><b>WHITE &amp; CASE LLP</b>  Thomas E Lauria (admitted <i>pro hac vice</i>)  Matthew C. Brown (admitted <i>pro hac vice</i>)  Fan B. He (admitted <i>pro hac vice</i>)  200 South Biscayne Boulevard, Suite 4900  Miami, FL 33131  Telephone: (305) 371-2700  tlauria@whitecase.com  mbrown@whitecase.com  fhe@whitecase.com</p> <p>David M. Turetsky (admitted <i>pro hac vice</i>)  1221 Avenue of the Americas  New York, NY 10020  Telephone: (212) 819-8200  david.turetsky@whitecase.com</p> <p>Jason N. Zakia (admitted <i>pro hac vice</i>)  111 South Wacker Drive, Suite 5100  Chicago, IL 60606  Telephone: (312) 881-5400  jzakia@whitecase.com</p> <p>Roberto Kampfner (admitted <i>pro hac vice</i>)  Doah Kim (admitted <i>pro hac vice</i>)  RJ Szuba (admitted <i>pro hac vice</i>)  555 South Flower Street, Suite 2700  Los Angeles, CA 90071  Telephone: (213) 620-7700  rkampfner@whitecase.com  doah.kim@whitecase.com  rj.szuba@whitecase.com</p> <p><i>Counsel to Debtors and Debtors in Possession</i></p>
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